

REMARKS

Claims Rejections - 35 U.S.C. §102(b) - Claims 1-26

Claims 1-26 are pending in the present application and were rejected in the Office Action dated December 1, 2004, under 35 U.S.C. §102(b) as being unpatentable in view of Swanson et al. (U.S. Patent No. 5,987,459). Applicants respectfully traverse this rejection. However, in order to provide clarification only, claims 1-4, 6, 8, 10-13, 15-21, 23, and 25 have been amended. Additionally, claims 5, 9, 14, 22, and 26 have been deleted. Claims 1, 10, and 18 are independent claims. The remainder of the claims are dependent claims and, as such, depend from their respective independent claims. For brevity, the bases for the rejection of the independent claims are traversed in detail on the understanding that the dependent claims are also patentably distinct over the cited references, as they depend directly from their respective independent claims. Nevertheless, the dependent claims include additional features that, in combination with those of the independent claims, provide further, separate, and independent bases for patentability.

The Examiner states that the Swanson patent teaches or suggests each and every element of the claimed invention. However, the Swanson patent does not teach or suggest the claimed element, as amended, of "building a learned dictionary of transform codes by examining images in a database for one or more compression patterns and recording said compression patterns in the learned dictionary, wherein the one or more compression patterns comprise one or more transform codes that are learned from the images in the database."

Moreover, with respect to claims 7, 16, and 24, the Examiner states that Swanson discloses Gaussian latent variable modeling at Col. 8, lines 23-28. Applicants have reviewed this section of the Swanson patent, as well as the remainder of the Swanson patent, and have found no teaching or suggestion of Gaussian latent variable modeling. The section cited by the Examiner refers to a Huffman coder, which is distinct from and unrelated to Gaussian latent variable modeling. Indeed, the term Gaussian does not even appear in the Swanson patent. Thus, Applicants respectfully

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disagree with this assertion by the Examiner, and request that the Examiner provide support for his position.

As stated above, the Swanson patent does not teach or suggest the claimed element, as amended, of “building a learned dictionary of transform codes by examining images in a database for one or more compression patterns and recording said compression patterns in the learned dictionary, wherein the one or more compression patterns comprise one or more transform codes that are learned from the images in the database.” Furthermore, the Swanson patent actually teaches away from techniques that are utilized in the claimed invention. Therefore, Applicants respectfully submit that the Swanson patent does not support a 35 U.S.C. § 102(b) rejection of claims 1-4, 6-8, 10-13, 15-21, and 23-25.

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CONCLUSION

Applicants have made an earnest and bona fide effort to clarify the issues before the Examiner and to place this case in condition for allowance. In view of the foregoing discussions, it is clear that the differences between the claimed invention and the cited references are such that the claimed invention is patentably distinct over the cited references. Therefore, reconsideration and allowance of all of claims 1-4, 6-8, 10-13, 15-21, and 23-25 is believed to be in order, and an early Notice of Allowance to this effect is respectfully requested. If the Examiner should have any questions concerning the foregoing, the Examiner is invited to telephone the undersigned attorney at (310) 712-8319. The undersigned attorney can normally be reached Monday through Friday from about 9:30 AM to 6:30 PM Pacific time.

Respectfully submitted,

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J.D. HARRIMAN II
Reg. No. 31,967
BROWN RAYSMAN MILLSTEIN FELDER
& STEINER LLP
1880 Century Park East, Suite 711
Los Angeles, California 90067
(310) 712-8300

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